

BOROUGH OF WYOMISSING – COUNCIL MINUTES

JANUARY 10, 2023 – 7:00 P.M.

The Borough of Wyomissing Council held their regular meeting in the Borough of Wyomissing Council Chambers on the above date and time. Council President William S. Jenckes called the meeting to order at 7:00 p.m. with the following persons present: Stephen D. Brunner, Keith L. Derr, Frederick R. Mogel, Jana R. Barnett, Ronald C. Stanko, and David L. Reeser; Mayor Frederick C. Levering, Borough Solicitor Christopher Hartman, Borough Manager & Economic Development Coordinator Michele Bare, Borough Engineer Representative Nick Perilli, Fire Chief Colin Hackman, Police Chief John Phillips, Public Works Director James V. Babb, Recreation Director Pete Beck, and Borough Secretary Melissa Miller. The following person was absent: Treasurer Thomas Moll.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

EXECUTIVE SESSION:

No Executive Session was held before the meeting.

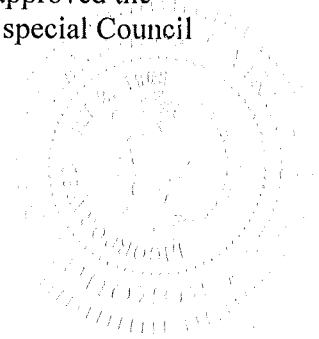
VISITORS:

Greg Portner – 35 Buckingham Drive  
Jen Reimer – 19 Merrymount Road  
James Bush – 2201 Ridgewood Road  
Ryan Solecki – Wyomissing Police Department  
Elizabeth Romano – 301 South 2<sup>nd</sup> Street, West Reading  
Maria Figueroa-Medina – Wyomissing Police Department

PUBLIC COMMENTS (agenda items):

Adrian Jadic, 48 Cardinal Road expressed his objection to the Sunshine Act, that the Borough is not making Ordinances and Resolutions available before voting on them. He feels the public is not able to prepare informed public comments. Borough Solicitor Christopher Hartman indicated that no Ordinance or Resolution is formally adopted until coming before Council, of which Ordinances are required to be advertised before adoption.

COUNCIL MINUTES: On motion duly made, seconded and passed, Council approved the minutes of the December 13, 2022 meeting, as well as the December 20, 2022 special Council meeting.



CONSULTING ENGINEER'S REPORT: On motion duly made, seconded and passed, Council approved the Consulting Engineer's report dated January 6, 2023.

Borough Engineer Representative Nick Perilli noted that the Berkshire Boulevard Pump Station bids will close the week of January 9, 2023, and the 2023 Street bids are out, and will close on February 16, 2023.

POLICE DEPARTMENT & MAYOR'S REPORT: On motion duly made, seconded and passed, Council approved the Police Department & Mayor's report dated January 6, 2023.

Police Chief John Phillips reviewed the report. Both he, and Mayor Frederick Levering acknowledged Detective Daren Anders as being the Fraternal Order of Police's recipient of the Officer of the Year award. Chief Phillips also introduced the two newly hired Police Patrol Officers, Maria Figueroa-Medina and Ryan Solecki.

FIRE CHIEF'S REPORT: On motion duly made, seconded and passed, Council approved the Fire Chief's report for December 2022.

Fire Chief Colin Hackman reviewed the report.

INFRASTRUCTURE COMMITTEE: On motion duly made, seconded and passed, Council approved the Infrastructure Committee report dated December 19, 2022.

Councilmember Brunner reviewed the report.

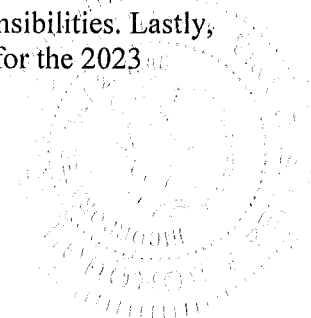
Councilmember Brunner made a motion, seconded by Councilmember Barnett to table the Service Electric Service Franchise Agreement until further notice, all in favor, 7-0.

Councilmember Brunner thanked Public Works Director Jim Babb for the preparation of the Public Works 2022 year-end report. Jim Babb then shared that based on prior discussions pertaining to the street light and highway signage upright outages in the vicinity of Routes 12 and 222, there is a breaker that has tripped causing the outages. TELCO will attempt to find the short in the line to make necessary repairs.

LIBRARY BOARD: On motion duly made, seconded and passed, Council approved the Library Board report dated December 19, 2022.

Councilmember Barnett reviewed the report.

Councilmember Barnett indicated that the library statistics have fluctuated in various areas, but are still showing an overall increased trend in usage after COVID. There are two Board members stepping down from their Board roles, and the Library is still seeking a Children's Librarian. Currently, Librarian Colleen Stamm is fulfilling the Children's Librarian responsibilities. Lastly, Councilmember Barnett noted the Board is working on finding a host location for the 2023 Derby party.



PERSONNEL COMMITTEE: On motion duly made, seconded and passed, Council approved the Personnel Committee report dated December 20, 2022.

Councilmember Mogel reviewed the report.

PLANNING COMMISSION: On motion duly made, seconded and passed, Council approved the Planning Commission report dated January 3, 2023.

Councilmember Stanko reviewed the report.

**ORDINANCE NO. 1430-2023**- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 27 ENTITLED "ZONING" TO DEFINE SHORT TERM RESIDENTIAL RENTAL UNIT, TO PROVIDE FOR SHORT TERM RESIDENTIAL RENTAL UNIT AS A PERMITTED USE IN THE C-1 NEIGHBORHOOD COMMERCIAL ZONING DISTRICT AND AS A SPECIAL EXCEPTION USE IN THE R-1, R-1A, R-2, AND R-3 RESIDENTIAL ZONING DISTRICTS, AND TO PROVIDE FOR REGULATIONS GOVERNING SHORT-TERM RESIDENTIAL RENTAL UNITS, AND TO AMEND SECTION 609, OFF-STREET PARKING, BY ADDING MIXED USE LIFESTYLE CENTER TO THE LIST OF USES FOR WHICH SPECIFIC OFF-STREET PARKING REQUIREMENTS ARE LISTED

Councilmember Stanko made a motion, seconded by Councilmember Derr to authorize advertisement of Ordinance No. 1430-2023 as related to the Zoning Ordinance, all in favor, 7-0.

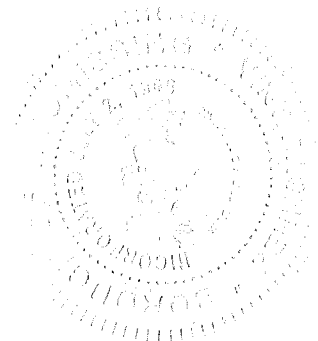
Councilmember Stanko made a motion, seconded by Councilmember Mogel to approve the 90-day extension letter received for 850 North Wyomissing Boulevard, for the Borough of Wyomissing Planning Commission to take action on the submitted plans, all in favor, 7-0.

FINANCE & ADMINISTRATION COMMITTEE: On motion duly made, seconded and passed, Council approved the Finance and Administration Committee report dated January 5, 2023.

Councilmember Derr reviewed the report.

Councilmember Derr made a motion, seconded by Councilmember Mogel to approve reinvesting the maturing \$2,000,000 in PLGIT funds, as two separate \$1,000,000 investments, one maturing in September 2023, and the other in November 2023, all in favor, roll call vote, 7-0.

Councilmember Derr made a motion, seconded by Councilmember Brunner to approve the Mockenhaupt actuarial valuation report for the Police Department post-retirement benefit, all in favor, 7-0.



**ORDINANCE NO. 1431-2023**- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 24 “TAXATION, SPECIAL”, PART 1 “BUSINESS PRIVILEGE TAX”, PART 5 “DISCOUNT AND PENALTY RATES”, AND PART 7 “MERCANTILE TAX” TO AMEND REGULATIONS REGARDING PENALTIES AND INTEREST

Councilmember Derr made a motion, seconded by Councilmember Mogel to approve advertisement of Ordinance No. 1431-2023 as related to Business Privilege and Mercantile Taxes, all in favor, 7-0.

**RESOLUTION NO. 2023-01**- A RESOLUTION OF THE BOROUGH OF WYOMISSING REVISING AND UPDATING THE BOROUGH'S FEE SCHEDULE

Councilmember Derr made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2023-01 as to establishing the 2023 Borough Fee Schedule, all in favor, 7-0.

**RESOLUTION NO. 2023-02**- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA TO APPOINT DAVID L. REESER AS ASSISTANT TREASURER FOR THE BOROUGH OF WYOMISSING.

Councilmember Derr made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2023-02 as to appointing David Reeser as the Assistant Borough Treasurer, all in favor, 7-0.

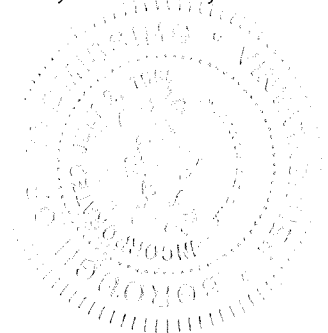
**BOROUGH MANAGER’S REPORT:** On motion duly made, seconded and passed, Council approved the Borough Manager’s report dated January 6, 2023.

**RESOLUTION NO. 2023-03**- A RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, APPOINTING THOMAS MCKEON TO THE BOROUGH OF WYOMISSING PLANNING COMMISSION

Councilmember Derr made a motion, seconded by Councilmember Brunner to adopt Resolution No. 2023-03 as to reappointing Thomas McKeon as a Planning Commission member, all in favor, 7-0.

**RESOLUTION NO. 2023-04**- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, APPOINTING NAJLA A. BATHISH TO THE ZONING HEARING BOARD OF THE BOROUGH OF WYOMISSING

Councilmember Barnett made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2023-04 as to reappointing Najla Bathish as a Zoning Hearing Board member, all in favor, 7-0.



**RESOLUTION NO. 2023-05- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA IN RECOGNITION OF THE DEDICATION AND CONTRIBUTIONS OF ANGELA DUEN TO THE BOROUGH OF WYOMISSING**

Councilmember Barnett made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2023-05 as to recognizing Angela Duen for her years of service to the Borough, all in favor, 7-0.

**RESOLUTION NO. 2023-06- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA IN RECOGNITION OF THE DEDICATION AND CONTRIBUTIONS OF GREGORY PORTNER TO THE BOROUGH OF WYOMISSING**

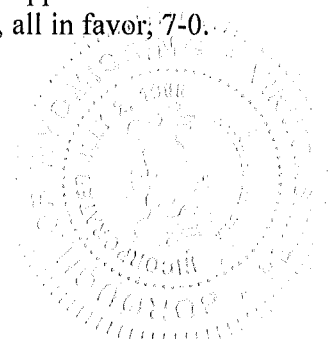
Councilmember Stanko made a motion, seconded by Councilmember Mogel to adopt Resolution No. 2023-06 as to recognizing Gregory Portner for his years of service to the Borough, all in favor, 7-0.

**RESOLUTION NO. 2023-07- A RESOLUTION OF THE COUNCIL OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA APPROVING THE DESTRUCTION OF CERTAIN RECORDS**

Councilmember Mogel made a motion, seconded by Councilmember Barnett to adopt Resolution No. 2023-07 as to approving the destruction of residential building permit records as permitted by the Municipal Records Manual, as part of the scanning and cataloging project of Borough documents, all in favor, 7-0.

**ORDINANCE NO. 1432-2023- AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 11 ENTITLED "HOUSING", TO AMEND PART 2, ENTITLED "RENTAL PROPERTY MAINTENANCE", BY AMENDING SECTION 201, ENTITLED "PERMITS REQUIRED; ISSUANCE", TO REQUIRE ANY SHORT-TERM RESIDENTIAL RENTAL UNIT, AS DEFINED IN THE ZONING ORDINANCE, TO BE INSPECTED AND PERMITTED AS A RENTAL UNIT, AND TO AMEND PART 3, ENTITLED "DISRUPTIVE CONDUCT", BY AMENDING SECTION 301, ENTITLED "PURPOSE AND FINDINGS", TO CLARIFY THAT ANY SHORT-TERM RESIDENTIAL RENTAL UNIT, AS DEFINED BY THE ZONING ORDINANCE, SHALL BE CONSIDERED A RENTAL FOR PURPOSES OF THE DISRUPTIVE CONDUCT REGULATIONS OF SAID PART 3**

Councilmember Brunner made a motion, seconded by Councilmember Reeser to approve advertisement of Ordinance No. 1432-2023 as related to the Housing Ordinance, all in favor; 7-0.



**ORDINANCE NO. 1429-2023-** AN ORDINANCE OF THE BOROUGH OF WYOMISSING, BERKS COUNTY, PENNSYLVANIA, TO AMEND THE CODE OF ORDINANCES OF THE BOROUGH OF WYOMISSING, CHAPTER 18 ENTITLED "SEWERS AND SEWAGE DISPOSAL", TO AMEND PART 1, ENTITLED "SEWER RENTALS AND CHARGES", B, ENTITLED "SEWER RATES", SECTION 121, ENTITLED "INDUSTRIAL SEWAGE RATE", AND SECTION 122, ENTITLED "DOMESTIC SEWAGE RATE", TO PROVIDE THAT ALL CHARGES FOR SEWER SERVICES SHALL BE SET BY RESOLUTION

Councilmember Barnett made a motion, seconded by Councilmember Brunner to adopt Ordinance No. 1429- 2023, to amend Chapter 18, "Sewage and Sewage Disposal", to remove reference to specific rate amounts and instead reference rates imposed by the Wyomissing Valley Joint Municipal Authority and rates adopted by resolution by the Borough of Wyomissing, all in favor, 7-0.

Councilmember Brunner made a motion, seconded by Councilmember Mogel to authorize 3% raises, effective January 1, 2023, for all administrative staff members, all in favor, roll call vote, 7-0.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to approve advertisement of and holding a conditional use hearing for 521 Van Reed Road on Wednesday, February 22<sup>nd</sup> at 11AM in Council chambers, all in favor, 7-0.

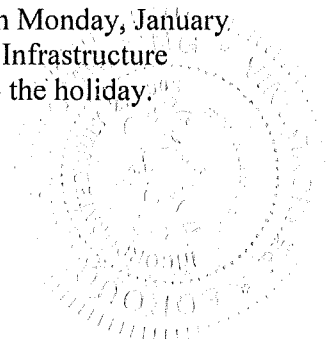
Borough Manager Michele Bare indicated that a motion is needed to amend the agenda to discuss and take action on holding an intermunicipal liquor license transfer hearing, as well as reappointing a member to the Wyomissing Valley Joint Municipal Authority.

Councilmember Barnett made a motion, seconded by Councilmember Brunner to amend the agenda to discuss scheduling an intermunicipal liquor license transfer hearing, and to reappoint Author White to the Wyomissing Valley Joint Municipal Authority Board, all in favor, 7-0. – No public comment provided.

Councilmember Brunner made a motion, seconded by Councilmember Barnett approve advertisement of and holding an intermunicipal liquor license transfer hearing on Tuesday, February 14<sup>th</sup> at 7PM in Council chambers during the regular Council meeting, all in favor, 7-0.

Councilmember Barnett made a motion, seconded by Councilmember Stanko to reappoint Author White to the Wyomissing Valley Joint Municipal Authority Board for a four year term, all in favor, 7-0.

Borough Manager Bare reminded Council that Borough Hall will be closed on Monday, January 16<sup>th</sup>, 2023 in observance of Martin Luther King, Jr. Day, and that the January Infrastructure Committee meeting will be held on Tuesday, January 17<sup>th</sup> at 12:30 pm, due to the holiday.



TREASURER'S STATEMENT OF OPERATIONS: On motion duly made, seconded and passed, Council approved the Treasurer's Statement of Operation and all financial statements.

There was no further review of the report.

ACCOUNTS PAYABLE: Councilmember Reeser made a motion, seconded by Councilmember Barnett to approve the Accounts Payables report for December 2022, all in favor, roll call vote, 7-0.

|                   |                  |
|-------------------|------------------|
| General Fund      | \$ 522,534.07    |
| Water Fund        | 81,038.55        |
| Sewer Fund        | 220,874.75       |
| Refuse Fund       | 65,605.09        |
| Liquid Fuels Fund | <u>22,994.64</u> |
|                   | \$ 913,047.10    |

TAX COLLECTOR'S REPORT: On motion duly made, seconded and passed, Council approved the Tax Collector's report for the Month of December 2022.

Due to the Tax Collector's absence, there was no further review of the report.

OLD BUSINESS:

No old business to discuss.

NEW BUSINESS:

Mayor Frederick Levering complimented Tree Department Foreman Mark McLaughlin for a recent educational article he wrote in regards to the Borough's tree maintenance program. The article will be used in future Borough publications.

PUBLIC COMMENT (non-agenda items):

No public comment was provided.

The Wyomissing Borough Council meeting adjourned at 7:53 p.m.

Respectfully Submitted,



Melissa Miller  
Borough Secretary

Approved by:





William S. Jenckes  
President, Wyomissing Borough Council

